

IN THE UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF VIRGINIA

## Alexandria Division

UNITED STATES OF AMERICA )  
v. ) Case No. 1:22-cr-165  
HATCHET M. SPEED, )  
Defendant. )

NOTICE OF INTENTION TO OFFER EXPERT TESTIMONY AND SUMMARY OF TESTIMONY BY ATF FIREARMS ENFORCEMENT OFFICER EVE E. EISENBISE

The United States hereby notifies the Court and counsel for the defendant of the government's intention to offer Eve E. Eisenbise, a Firearms Enforcement Officer with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), as an expert pursuant to Federal Rule of Criminal Procedure 16(a)(1)(G) and Rules 702, 703 and 705 of the Federal Rules of Evidence.

The government intends to call Ms. Eisenbise as an expert in the field of identification of firearms, including silencers. Ms. Eisenbise's Statement of Qualifications is attached as Exhibit A. As set forth therein, Ms. Eisenbise has been employed by the ATF as a Firearms Enforcement Officer since April 2014. She is currently the Chief of the Field Response Branch – Central Region.

As a Firearms Enforcement Officer, Ms. Eisenbise's responsibilities include conducting technical examinations and evaluations of firearms (including silencers) and ammunition in response to alleged violations of Federal firearms laws (including the National Firearms Act) and inquiries from the firearms industry and the public. Ms. Eisenbise has examined hundreds of

silencers of various types (including professionally manufactured and homemade silencers) for research and study. For criminal cases and investigations, she has tested more than 150 different silencers and assisted other officers with their tests. Ms. Eisenbise has testified at least sixteen times in federal court concerning her examination of firearms (including at least four times involving silencers), and she has previously been qualified as an expert in the field of the identification of firearms and silencers. *See, e.g.*, Trial Transcript (Aug. 22, 2016), *United States v. Coffell*, No. 5:16-cr-13-RH (N.D. Fla.) (Dkt. No. 66).

Prior to becoming a Firearms Enforcement Officer with the ATF, Ms. Eisenbise was an Analyst and SAC Secretary for the Criminal Investigation Division of the Internal Revenue Service for almost four years. Before that position, Ms. Eisenbise worked for Interstate Arms Corp. for four months and Sig Sauer, Inc., for almost three years. With Sig Sauer (a firearms manufacturer), Ms. Eisenbise was a regional manager of law enforcement sales and performed endurance testing, research and development, and law enforcement-related firearms training. Prior to working for Sig Sauer, Ms. Eisenbise was a police officer for the City of Manchester in New Hampshire for approximately ten years. There, she was a patrol officer and the chief firearms instructor, range master, and department armorer. Ms. Eisenbise also served in the U.S. Marine Corps, where, among other duties, she was an armorer.

The government expects that Ms. Eisenbise will testify concerning her examination of the three Hawk Innovative Tech devices that were recovered from the defendant's storage unit on June 22, 2022, in Alexandria, Virginia (hereinafter, "HIT Devices"). In doing so, the government anticipates that Ms. Eisenbise will testify consistent with the information and

opinions contained within her report, which she signed on August 11, 2022. The government produced this report to the defense on September 22, 2022, and has included it as Exhibit 54 on the Government's Exhibit List.

To summarize, the government expects that Ms. Eisenbise will testify that the objective design features and characteristics of the HIT Devices show that the devices are designed as silencers, not solvent traps. As stated in her report, the government expects that Ms. Eisenbise will explain how the “objective design features and characteristics of [the HIT Devices] demonstrate that they are both inefficient when used as solvent traps but are particularly effective firearm silencers. This includes the presence of parts and dimensions that are unnecessary for solvent traps but effective in reducing the report of a portable firearm.” For example, the government anticipates that Ms. Eisenbise will describe how the HIT Devices include features and characteristics found in commercial (and homemade) firearm silencer designs, and how these features and characteristics serve no legitimate purpose in solvent traps but possess the characteristics of and improve the effectiveness of the devices as firearm silencers. Ms. Eisenbise’s report contains further explanation and detail as to how the objective design features and characteristics of the HIT Devices are consistent with firearm silencers, and the government anticipates that she will testify consistent with those points.

The government further expects that Ms. Eisenbise will testify that she tested one of the HIT Devices and that the device effectively reduced the report of a handgun by 23.58 decibels. Ms. Eisenbise’s report describes how she tested the device, and the government expects that she

will testify consistent with that description. A Report of Technical Examination reflecting the results of the test is attached to her report.

Respectfully submitted,

Jessica D. Aber  
United States Attorney

/s/

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## **CERTIFICATE OF SERVICE**

I hereby certify that on the 25th day of November, 2022, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system.

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/s/  
Thomas W. Traxler  
Assistant United States Attorney